

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANESSA JIMENEZ, *Individually, and On Behalf
of All Others Similarly Situated,*

Plaintiff,

- against -

HCI CLEANING PRODUCTS, LLC,

Defendant.

ORDER

22 Civ. 5382 (ER)

Ramos, D.J.:

On June 26, 2022, Vanessa Jimenez brought this action against HCI Cleaning Products, alleging violations of the Americans with Disabilities Act. Doc. 1. HCI Cleaning Products was served on July 1, 2022 and was required to answer by July 22, 2022. Doc. 5. To date, HCI Cleaning Products has not appeared or answered.

On July 26, 2022, Jimenez filed an affidavit seeking default judgment against HCI Cleaning Products and a proposed clerk's certificate of default. Docs. 6, 7. That same day, on July 26, 2022, the Clerk of Court entered the proposed certificate of default. Doc. 8. On July 29, 2022, Jimenez moved the Court to vacate the certificate, explaining that "the parties [were] currently in active discussions to resolve this case [and that they] anticipate[d] that if the case [was] not resolved shortly, Defendants [would] appear." Doc. 9. On August 1, 2022, the Court granted Jimenez's request, and the Clerk of Court vacated the certificate of default. Doc. 10.

Since August 1, 2022, the Court has not received any update as to the status of this case. Jimenez is therefore instructed to submit a status report by no later than October 14, 2022. Failure to do so may result in a dismissal of the case for failure to prosecute.

It is SO ORDERED.

Dated: October 7, 2022
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.